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James A. Traficant Jr., the former Democratic congressman convicted of racketeering and taking bribes, is wiling away prison time painting colorful pictures but also able to collect a congressional pension of nearly \$40,000 a year.

He is one of about 20 former senators and congressmen with felony rap sheets who can receive the taxpayer-financed benefit.

"They have lost their cases, lost all their appeals and still collect the check," said Rep. Mark Steven Kirk, an Illinois Republican who introduced a bill that would stop future congressional felons from pocketing retirement pay.

"Millions of taxpayer dollars have gone to felons," Mr. Kirk said.

A similar measure is being offered by Democratic Sens. Ken Salazar of Colorado and John Kerry of Massachusetts in an amendment to that chamber's ethics reform bill, which is expected to go to a vote tomorrow.

Other recent convicts include former Rep. Randy "Duke" Cunningham, a California Republican convicted of graft and imprisoned last year, and former Rep. Bob Ney, an Ohio Republican convicted last year of corruption charges tied to disgraced lobbyist Jack Abramoff. Cunningham is eligible for about \$36,000 a year, while Ney is in line for a \$29,000 annual pension, according to estimates from the National Taxpayers Union (NTU). Other estimates, from groups such as the Congressional Research Service, vary slightly.

Former Rep. Daniel Rostenkowski, an Illinois Democrat convicted in 1996 of mail fraud related to the House post office scandal and pardoned by President Clinton in 2001, this year will collect an estimated \$125,000 congressional pension, according to NTU estimates.

Ney and Mr. Rostenkowski could not be reached for comment.

Prison officials said Traficant could not be contacted by telephone at the Federal Medical Center in Rochester, Minn., a prison that provides mental- health services; nor could Cunningham at the Federal Transfer Center in Oklahoma City, a temporary prison for inmates awaiting placement in the federal penal system.

Currently, only a conviction for treason or espionage results in a forfeiture of the pension.

The average congressional pension is estimated at \$50,000 a year.

"The only thing crazier than giving a member of Congress convicted of a crime a federal pension is the fact that we still need a bill to prevent a convict from receiving their pension," Mr. Salazar said. "Any member of Congress who abuses their position of authority for their personal profit deserves a prison sentence, not a government pension."

Bills that would withhold the pensions from members of Congress convicted of major crimes have been introduced in the past and failed. They usually die in the Senate.

"They always worry that somehow they will get caught and lose their pensions," Mr. Kirk said of the senators. "They have always killed this common-sense reform."

The measure's supporters say they are optimistic this time because of the strong push for ethics reforms this session -- a response to voter anger at Washington corruption that is credited in part for Democratic gains in last year's midterm elections.

House Speaker Nancy Pelosi, California Democrat, promised "serious consideration" of the proposal.

Still, the effort is encountering the usual skepticism among seasoned lawmakers in both chambers and on both sides of the aisle.

"I understand the image," Senate Republican Whip Trent Lott, Mississippi Republican, said of the pension payments. "I think the concept is achievable, but we had better be careful about it."

"It is easy to pontificate and take this great ethical stand, but then you have to ask yourself, 'Well, what about this senator's or this congressman's innocent spouse who still has to live? What about the money that was actually paid into the retirement system?' "

The specter of punishing "innocent spouses" also was raised by Rep. Charles B. Rangel, New York Democrat and chairman of the Ways and Means Committee.

"I would think the type of offense committed should have some weight, especially for someone who violates the public trust," he said. "We shouldn't have any different standard than any other part of government."